



RCE  
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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/477,977
Filing Date	January 5, 2000
First Named Inventor	John H. Burton
Group Art Unit	3739
Examiner Name	R. Kearney
Attorney Docket Number	825.001US2
Customer No.	21186

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application entitled IMPLANTABLE DEVICE AND METHOD FOR ADJUSTABLY RESTRICTING A BODY LUMEN.

Submission required under 37 C.F.R. § 1.114

1. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on .
2. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on .
3. ☒ Response Under 37 CFR § 1.116 (11 pages) is enclosed.
4. ☐ New power of attorney ( pages) is enclosed.
5. ☒ Information Disclosure Statement is enclosed (2 pages), with:
  - a. Form 1449 (2 pages)
  - b. Copies of IDS Citations (5)
6. ☒ Authorization to Charge Deposit Account No. 19-0743 in the amount of \$395.00 to pay the RCE filing fee required under C.F.R. § 1.17(e).
7. ☒ **The Commissioner is hereby authorized to credit overpayments or charge any fees set forth in 37 CFR §§ 1.16 through 1.18 to Deposit Account No. 19-0743.**
8. ☒ Petition for Extension of Time in the prior application (1 page) is enclosed along with authorization to charge Deposit Account No. 19-0743 in the amount of \$510.00 to pay the extension fee.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

By: T E Bianchi  
Atty: Timothy E. Bianchi  
Reg. No. 39,610

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Attn-Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 16TH day of January, 2006.

TIMOTHY E. BIANCHI

Name

Signature

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